

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. **CV 17-502-JFW (JEMx)**

Date: January 31, 2019

Title: Benjamin Moore and Co. -v- Wincome Trading Co.

PRESENT:

HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE

**Shannon Reilly
Courtroom Deputy**

**None Present
Court Reporter**

ATTORNEYS PRESENT FOR PLAINTIFFS:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

PROCEEDINGS (IN CHAMBERS):

**ORDER TO SHOW CAUSE RE: DISMISSAL FOR LACK
OF PROSECUTION**

The Court on its own motion, hereby orders Plaintiff to show cause, in writing, no later than **February 4, 2019**, why this action should not be dismissed for lack of prosecution. The Court notes in this regard that, absent of showing a good cause, an action *must* be dismissed if the summons and complaint have not been served within 120 days after the filing of the complaint. See Fed. R. Civ. P. 4(m). An action may be dismissed prior to such time if Plaintiff has not diligently prosecuted the action.

No oral argument on this matter will be heard unless otherwise ordered by the Court. See Fed. R. Civ. P. 78; Local Rule 7-15. The Order will stand submitted upon the filing of the response to the Order to Show Cause. If a responsive pleading is filed or if Plaintiff files a proof of service (indicating proper service in full compliance with the Federal Rules) on or before [DATE], the Court will consider that a satisfactory response to the Order to Show Cause. Failure to respond to the Order to Show Cause will result in the dismissal of this action.

IT IS SO ORDERED.